

APPROVED: Meeting No. 35-85

ATTEST: *Nelson M. Hovsepian*

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
MEETING NO. 33-85

June 3, 1985

The Mayor and Council of Rockville, Maryland, convened in special session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland on Monday, June 3, 1985, at 7:00 p.m.

PRESENT

Mayor Viola D. Hovsepian

Councilman Steve Abrams

Councilman Peter Hartogensis

Councilman John Tyner, II

ABSENT

Councilman Douglas Duncan  
(on travel leave)

The Mayor in the Chair.

Re: Review of Design of  
Courthouse Square  
Hotel/Office Complex

The Mayor and Council, Planning Commission Chairman Donald Boebel and Members James Vitol and Granville Paules and Historic District Commission Chairman Michael Patterson were given a review of the proposed design of the hotel/office complex to be constructed in the Town Center. They were briefed by the architectural firm of Clark, Tribble, Harris and Li. In attendance at the meeting were Larry White of Hadid Investments and Allen Margolis of Mardeck who expects to secure a franchise for a Holiday Inn. The Mayor and Council comments were received by the design group. Another review meeting will be scheduled to ensure satisfaction with the project.

Re: General Session

The Mayor and Council of Rockville, Maryland, convened in general session, in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, June 3, 1985, at 8:00 p.m.

In attendance: City Manager Larry Blick; City Clerk Helen Heneghan, City Attorney Paul Glasgow.

Re: City Manager's Report

Mr. Blick reported the following:

1. The City Hall design has won an American Institute of Architects Design award from the Northern Virginia Chapter of the AIA.
2. Mr. Blick introduced Mr. Dennis Crehan the new Superintendent of Parks for the City. He is a graduate of Towson State University and has worked for the past four and a half years with the Maryland National Park and Planning Commission. The Mayor and Council welcomed Mr. Crehan to the City.
3. Mr. Blick showed the Council the Summer Recreation and Park Guide which was mailed to all homes in the City this week.

Re: Appointments

Mayor Hovsepian made the following appointments. They were confirmed by the Council.

Science & Technology Commission: Steven Albersheim, 2267 Glenmore Terrace, 1 year term as Chairman and 3 year term as Member  
Dorothy Hall, 11 Chancelet Court - 3 year term  
Murray Strier, 8 James Spring Court - 3 year term  
Lawrence Nadel, 605 Northcliffe Drive - 3 year term  
John Evans, 118 Monroe Street, #307 - 3 year term  
William Haberman, 610 Crocus Drive - 3 year term  
Cynthia Ewel, 1707 Glastonberry Road - 3 year term

Animal Control Board: Ruth Hanessian - reappointed Chairman - 1 year term

Board of Supervisors of Elections: Ellen Covey - reappointed - 4 year term

Traffic & Transportation Commission: Harlow Osborne - reappointed - 2 year term

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Re: Proclamation: To  
Commemorate First  
Student Visit to  
Pinneberg, Germany

Proclamation No. 10-85

There being no objection from the Council, Mayor Hovsepien proceeded to issue Proclamation No. 10-85, commemorating the first Rockville student visit to Pinneberg. Councilman Hargtogensis read the proclamation at the request of the Mayor in which the Mayor and Council hoped the visit would serve to strengthen the ties between the two cities.

Re: Presentation of  
contribution from  
General Motors  
Corporation for  
Automotive Training  
Program at Richard  
Montgomery High  
School

Sonja Fowler, of General Motors, presented a contribution of \$5,000.00 to the City's Public and Private Partnership program. The funds are to be used for the Montgomery County Public Schools Automotive Technology Education program at Richard Montgomery. Mrs. Fowler introduced the General Motor Executives Art Friemuth, Ken Taylor, Michael Cherry, Al Strand and Bob Feeley of the various divisions of General Motors. Dr. Frank Carricato accepted the contribution on behalf of the public schools.

Re: Citizen's Forum

Mayor Hovsepien opened the meeting to those citizens who wished to address the Mayor and Council:

1. William Anderson, 13108 Ardennes Avenue. Mr. Anderson reported to the Council of the numerous calls the neighborhood has made to the Police concerning a problem of cars drag racing and driving on sidewalks, yelling obscenities, etc. This has been going on for an extended period of time and the neighborhood

is unable to deal with it. The City Manager said the staff is aware of the problem and they are trying to do all they legally can to remedy the situation.

2. Rosemary Emmell, 5904 Halsey Road. Mrs. Emmell echoed Mr. Anderson's statement and recounted her problems with the neighbors. In reference to Mr. Blick's comments that the City is trying to do what it can legally, she suggested that the City look to protecting her legal rights because it would seem the rights of the trouble makers have been protected to the fullest.

3. Timothy Emmell, 5904 Halsey Road. Mr. Emmell cited more problems including cars riding by screaming insults and obscenities and stressed the need for help. Councilman Abrams asked if the entire Council could meet with the staff and discuss this problem.

4. Carole Cohen, 1707 Farragut Avenue. Ms. Cohen suggested that the police might consider increasing enforcement of the traffic laws since more violations and citations could cause a suspension of licenses for the trouble makers.

5. Richard Arkin, 525 Lynch Street. Mr. Arkin spoke in response to the Mayor's letter of May 29 in which she addressed the issues he raised regarding solicitation of political contributions from appointed officials. He took issue with her characterization of his letter as political rhetoric and said he feels she has failed to address the issue. He asked that she avoid the perception of unethical conduct.

6. Robert Jacques. Mr. Jacques said he is concerned with the local police force in their overreaction in responding to a small incident that occurred at the Memorial Day Parade. He said the City would be better served to send money to Montgomery County and ask for increased coverage since it would seem the City should either go forward on a massive level and increase professionalism on the force or withdraw from police work all together.

7. Al Kamhi, 818 Duke Street. Mr. Kamhi said he witnessed the police incident at the parade and it was uncalled for and an overreaction. He does feel the City's police force has come along way and is now at the threshold and money is not the answer. There should be a higher degree of professionalism and the force should be upgraded. He said it would be wrong do away with the City police force since they can respond to issues such as those noted this evening at Citizen's Forum and if it were a County force the City would lose the ability to deal with those problems.

8. Alfred Krauss, 1401 Matthews Drive. Mr. Krauss said he had collected money from the neighborhood to pay for Neighborhood Watch Signs. The funds were turned in 8 weeks ago and nothing has been done about the signs. He asked the City Manager's attention to this.

There being no other citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

Re: Decision and Instructions  
to staff re Map Amendment  
Application, M-42-85, J.  
Lynott, Jr. Attorney for  
Wm. E. Rickman, requesting  
the rezoning of an 11.78  
acre tract on Research  
Blvd. from the I-2, Light  
Industrial Zone to the I-  
3, Industrial Park Zone

On motion of Councilman Hartogensis, duly seconded and passed by unanimous vote of all present, staff was instructed to prepare the necessary legal documentation to grant Map Amendment Application M-42-85.

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Re: Adoption of Ordinance: To repeal Chapter 2, Section 2-1.01 of the Laws of Rockville and to enact a new Chapter 28 entitled Taxes and Assessments to provide for penalty rates for late payment of property taxes and penalties and interest on special assessments.

Ordinance No. 15-85

On motion of Councilman Abrams, duly seconded and passed by unanimous vote of all present, Ordinance No. 15-85, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council enacting a new Chapter 28 entitled Taxes and Assessments, to provide for penalty rates for late payment of property taxes and penalties and interest on special assessments, was adopted by the Mayor and Council with the corrections noted, specifically changing the number of the Chapter from 27 to 28

Re: Award of Contract: Bid No. 2-86, Janitorial Service

Bid No. 2-86 was issued for the purpose of obtaining a Cleaning Service Contractor to clean City Hall for the period July 1, 1985 - June 30, 1986 with an option for an additional year.

Bids were opened at 3:00 p.m. on May 16, 1985, and the following bids were received:

<u>Company</u>	<u>Bid</u>	
	7/1/85 - 6/30/86	7/1/86 - 6/30/87
Astro Janitorial Services Oxon Hill, Maryland	\$18,890.76	\$18,890.76
Carefree Cleaning Services Rockville, Maryland	\$21,000.00	\$21,540.00
Abacus Corporation Baltimore, Maryland	\$21,408.00	\$22,476.00

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<u>Company</u>	<u>Bid</u>	
	7/1/85 - 6/30/86	7/1/86 - 6/30/87
Total Maintenance		
Rockville, Maryland	\$29,592.00	\$30,332.00

The references of the original low bidder, Astro Janitorial Services, were investigated by the Contract Officer and as a result it was confirmed that the company did not have a consistent record of good work, has some financial problems and has a deficient record of responsiveness to its customers. Staff is therefore recommending that the company be determined non-responsible and consideration be given to awarding the contract to the next low bidder.

Carefree Cleaning Service's bid is less than that received from last year's low bidder, Macke Building Services. The Invitation for Bid contained a provision of an 'option to extend' which allows the City at its sole discretion to extend the term of the contract for an additional one (1) year period by notice to the Contractor not less than thirty days prior to the end of the initial term.

It is hereby recommended that the original low bidder, Astro Janitorial Services, be determined non-responsible and that award be made to Carefree Cleaning Services for the Base Period July 1, 1985 - June 30, 1986 in the amount of \$21,000.00 with an option to extend for the period July 1, 1986 - June 30, 1987 in the amount of \$21,540.00 upon review and concurrence of the Contract Officer and the Director of Recreation and Parks.

On motion of Councilman Hartogensis, duly seconded and passed by unanimous vote of all present, it was determined that the original low bidder, Astro Janitorial Services was non-responsible and award was made to the second low bidder, Carefree Cleaning Services in the amount of \$21,000.00 with an option to extend from 7/1/86 to 6/30/87 in the amount of \$21,540.00

Re: Adoption of Resolution:  
To Broaden the Opportunity  
for Alternative Community  
Service participation in  
certain circumstances

Resolution No. 16-85

The City Manager and the Chief of Police explained the intent and purpose of the resolution which are:

1. To broaden the use of a demonstrably effective alternative to traditional criminal justice handling of certain offenses, particularly the sure and certain application of a timely sanction which reinforces community standards.
2. To enhance the capacity of the City Police Department to deal with individuals who, recognizing the favorable odds of their not receiving effective sanctions in court, become persistent violators of the so-called lesser offenses including disorderly conduct and certain drinking violations.
3. To recognize as clearly and forcibly as possible that repeated violations of so-called lesser offenses do serious, continuing damage to the quality of life in the neighborhoods and the impact ought to be minimized at every feasible opportunity.

Chief Stout explained it would allow second time offenders to return.

On motion of Councilman Abrams, duly seconded and passed by unanimous vote of all present, Resolution No., 16-85, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council was adopted by the Mayor and Council.

Re: Approval of Minutes

On motion of Councilman Abrams, duly seconded and passed by unanimous vote of all present, the Minutes of Meeting No. 26-85, May 13, 1985, were approved as corrected.

Re: Correspondence:

The Mayor and Council noted the following items of correspondence:

1. Joy Wagner, re seniors outside the City limits
2. Yetlie Kern, resignation from HRC  
Daniel Karsner, resignation from ACSC



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3. HRC, re use of K-9 in Lincoln Park

4. G. Brands, re baseball protest

Councilman Hartogensis said he found this most interesting.

5. N. Winogradoff, re CDBG program  
Rose C. Libert, re CDBG program

6. Mr. Cashbridge, re Memorial Day Parade

7. Anthony Bullard, re citizens association meeting

8. County Executive, re growth management

9. R. Lanham, re Rockville Crushed Stone zoning (and suggested letter)

It was the consensus of the Mayor and Council that the attached letter supporting the zoning be sent.

10. J. Mathison, re school boundary changes

Re: Information Items

The Mayor and Council noted the following items of correspondence:

1. Memo re "No Dumping" signs

2. Memo re Veirs Mill Road trees

3. Community Resources Quarterly Project Status Report

4. Response to citizen question on Rollins Post Office

Councilman Hartogensis commended Councilman Tyner on his actions.

5. Memo re Board of Appeals applications

The Mayor and Council agreed the City Attorney should allow a text amendment to be filed to accomplish changing the application submission to the Planning Department from the Clerk's office.

6. Executive Order re Montrose Road

Mayor Hovsepian suggested the City Manager prepare testimony

7. MML bulletin article re Planning Commission 'alternates'

Mayor Hovsepian asked that this be sent to the Planning Commission for their comment.

8. Montgomery County employees re street name change

Mr. Davis said the Planning Commission has tabled the decision for six months.

9. Letter re Twinbrook Safeway
10. Memo re Awards Presentation at Richard Montgomery High School
11. Memo re Montgomery County Community TV Offices
12. Copy of letter to Director of Recreation and Parks re beavers  
The Mayor and Council noted that a response has been sent.
13. Memo re Preliminary Town Center Developments
14. Memo re Twinbrook Safeway
15. Memo re North Rockville School Site
16. Memo re Fletcher Place School Bus Traffic
17. Memo re Fortune Parc Development
18. Status Report on road construction projects

Re: New Business

1. Councilman Hartogensis asked that a resolution be prepared for the Council's agenda to be sent to President Reagan to protest his tax proposal. Councilman Abrams suggested nothing be done until staff does more research to determine the impact on the City. Councilman Hartogensis noted that there could be a problem with municipal bond issues although Councilman Abrams felt it would be limited to industrial bonds. Councilman Hartogensis asked that the staff prepare a memo to the Council on the impact. Councilman Abrams asked that the memo include the average Rockville income, an estimate of the number of Rockville tax payers who estimate their deductions, the average family size in Rockville, the number of income earners, and the impact of City financing on industrial bonds versus public purpose financing.

2. Councilman Tyner told the Council he recently attended the National League of Cities meeting in New York City. They discussed the local governments role and the social services provided. He presented issue papers on homeless

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hunger, poverty and the medically indigent to the Mayor and Council and asked this to be discussed at a later time.

3. Councilman Abrams noted receipt of information from the Lincoln Park Neighborhood and asked if any action is needed. The City Manager said he will get back to the Council.

4. The City Manager noted that there were many calls coming in concerning the showing of the Memorial Day parade on cable television and how enjoyable it is.

5. Councilman Tyner said after 29 service calls cable tv is operating in his house.

Re: Executive Session

On motion of Councilman Hartogensis, the meeting was closed for executive session in order to discuss personnel matters and for consultation with legal counsel.

Re: Adjournment

There being no further business to come before the Mayor and Council in executive session, the meeting was adjourned at 9:55 p.m. to convene again in executive session on Monday, June 10, 1985, at 7:00 p.m. and in general session at 8:00 p.m. or at any other time by call of the Mayor.